

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TODD GIFFEN,
Petitioner,

No. 6:15-cv-1341-CL
O R D E R

vs.

UNITED STATES OF AMERICA,
et al.,

Respondents.

AIKEN, Chief Judge:


Magistrate Judge Clarke filed his Findings and Recommendation on July 28, 2015. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b)(3). When a party objects to any portion of the

Magistrate's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate's report. 28 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore Bus. Machs., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Petitioner Todd Giffen filed objections (docs. 8 and 9) to the Findings and Recommendation. Defendants declined to file any response. I have, therefore, given the file of this case a de novo review. I ADOPT the Magistrate's Findings and Recommendation (doc. 6), and DISMISS the petition for a writ of habeas corpus (doc. 2) for failure to state a claim. For the reasons stated in the Findings and Recommendation, I also REVOKE petitioner's in forma pauperis status. The Clerk of the Court is ordered to enter a judgment dismissing this proceeding in its entirety.

IT IS SO ORDERED.

Dated this 16 day of September 2015.



Ann Aiken
United States District Judge